

IN THE U.S. PATENT AND TRADEMARK OFFICE

Application No.: 09/762,283 PATENT
 Filing Date: 06/02/2000 Attorney Docket No. 100700-009144 [HERR
 Inventor(s): Gomariz, Rosa Perez 18.313]
 Group Art Unit:
 Examiner Name: Alvarado, Winston M.
 Title: Method of Treating
 Endotoxic Shock and
 Inflammatory and
 Autoimmune
 Diseases in Mammals...

Mail Stop PCT
 Commissioner for Patents
 Office of PCT Legal Administration
 P.O. Box 1450
 Alexandria, VA 22313-1450

ATTN: Office of PCT Legal Administration

RENEWED PETITION UNDER 37 CFR 1.137(b) & STATEMENT UNDER CFR 1.821

I. Introductory Comments

Applicants petition to revive filed 01 July 2004 was dismissed in that the computer readable form filed 01 July 2004 was found to be non-compliant. A corrected diskette is enclosed herewith along with a copy of the original petition and a statement under CFR 1.821.

Any fee due with this paper may be
 Charged to Deposit Account No. 50-1290

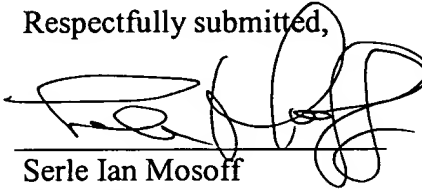
Filed by Express Mail
 Receipt No. 2298018985545
 on OCT 05-04
 pursuant to 37 C.F.R. § 10.
 By Patricia Muir
 Patricia Muir
 10/5/04 10:10 AM
 10/5/04 10:10 AM

II. Statement

The Sequence Listing content of the paper and the computer readable copy are the same.

Any fee due with this paper, not fully covered by an enclosed check, may be charged on Deposit Account 50-1290.

Respectfully submitted,



Serle Ian Mosoff
Reg. No.25,900

CUSTOMER NUMBER 026304

KATTEN MUCHIN ZAVIS ROSENMAN
575 Madison Avenue
New York, New York 10022-2585
Tel: (212) 940-8800
Fax: (212) 940-8986
Email (Serle.Mosoff@KMZR.com)

Docket No.: 100700-09144 [Herr 18.313]

PTO/SB/64 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)****Docket Number (Optional)**

HERR 18.313

First named inventor: ROSA PEREZ GOMARIZ

Application No.: 09/762,283

Art Unit:

Filed: 06/02/2000

Examiner: Alvarado, Winston M.

Title: Method for Treating Endotoxic Shock and Inflammatory and Autoimmune
Diseases in MammalsAttention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 872-9306NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus an extensions of time
actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1330 (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in
the form of Sequence Listing (identify type of reply):☐ has been filed previously on _____
☒ is enclosed herewith.

B. The issue fee of \$ _____

☐ has been paid previously on _____
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete,
including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments
on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent
and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS
ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.


3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

July 1, 2004
Date


Signature

Telephone
Number: 212-940-8717

Serle Mosoff

Typed or printed name

KMZ Rosenman

Address

575 Madison, N.Y, N.Y. 10022

Address

Enclosures: ☒ Fee Payment

- ☐ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☒ Other: Sequence Listing (Hard Copy and machine readable; 37 CFR 1.821)

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

Date _____

Signature

Type or printed name of person signing certificate